

MEMO ENDORSED

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Conferred
 and agreed
 from June 1
 to 20, 2007 at
 10:30 a.m.
 SO ORDERED
 JFC
 USP
 5/31-07

May 31, 2007

TELEFAX: (212)805-7949

Honorable P. Kevin Castel
 United States District Judge
 United States Courthouse
 500 Pearl Street
 New York, New York 10007

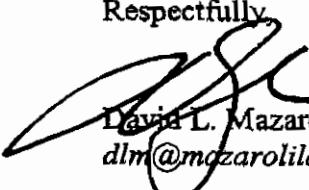
JOINT APPLICATION

Re: **Federal Insurance Company
 v. Expeditors International of Washington, Inc., et al.
 07 Civ. 3166 (PKC)
 Our Files: 6C-1364 & 7C-1489**

Dear Judge Castel:

I represent the plaintiff in this action which involves claims for cargo damage. I have conferred with defense counsel as required by Your Honor's rules. It appears that it will be necessary to join additional parties. Mr. Badiak informed me that he intends to seek permission to file a third-party complaint. For this reason, and keeping in mind that the claims are the type which should be the subject of early settlement discussions, counsel join in respectfully requesting that the June 1, 2007 initial court conference be rescheduled for a date in mid-July or early August. This is the first application for an adjournment in this action and I apologize for the timing of the request.

Respectfully,


 David L. Mazaroli
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DLM/jcf

cc: Badiak & Will LLP
 Attn.: Roman Badiak, Esq.:
 (Via e-mail: rbadiak@badiakwill.com)